

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Christopher Ray Duncan

Docket No. 7:15-CR-46-4H

Petition for Action on Supervised Release

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Christopher Ray Duncan, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute a Quantity of Heroin, in violation of 21 U.S.C. § 846, 21 U.S.C. § 841(b)(1)(C), and 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on March 8, 2016, to the custody of the Bureau of Prisons for a term of 30 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Christopher Ray Duncan was released from custody on August 7, 2017, at which time the term of supervised release commenced.

On September 7, 2017, the undersigned officer submitted a Violation Report notifying the court that Duncan committed new criminal conduct by Driving While License Revoked in Onslow County, North Carolina. Duncan was verbally reprimanded and counseled about his actions and the court agreed with the officer's recommendation to continue supervision.

On October 20, 2017, a Petition for Action was submitted advising the court that the defendant failed to attend appointments as scheduled and failed to submit monthly report forms or employment verification. As a result of the violations, the defendant was ordered to participate in a cognitive behavioral program.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On November 19, 2017, the defendant was issued a citation for Driving While License Revoked (17CR701881) in Jones County, North Carolina. The charge is pending adjudication in Jones County District Court, with a court date of January 12, 2018. The defendant failed to notify the probation office of this law enforcement contact and new criminal conduct. The undersigned probation officer confronted Duncan on November 27, 2017, at which time he admitted to driving after leaving a club in Kinston, North Carolina, because his friend was too intoxicated to drive. As a sanction for the violation, the probation officer respectfully recommends the conditions of supervised release be modified to include 3 days of confinement.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: November 29, 2017

ORDER OF THE COURT

Considered and ordered this 30th day of November 2017 and ordered filed and made a part of the records in the above case.

Malcolm J. Howard
Malcolm J. Howard
Senior U.S. District Judge